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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   RAY A. LEWIS,

10                  Plaintiff,

11                  v.

12                  RENCY HILBERT, et al.,

13                  Defendants.

CASE NO. C23-5539RSL-BAT

**ORDER ADOPTING REPORT &  
RECOMMENDATION**

14         The Court has reviewed Report and Recommendation (Dkt. # 8) of the assigned United  
15 States Magistrate Judge, all objections or responses, and the remaining record, and finds and  
16 ORDERS:

- 17         (1)      The Court ADOPTS the Report and Recommendation.<sup>1</sup>

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<sup>1</sup> For clarity, the Court notes that: (1) the citations on page 4, lines 6-7 should be to *Ashcroft*  
22         *v. Iqbal*, 556 U.S. 662, 678 (2009) and (2) plaintiff alleges that ARNP Boudrieau reviewed his  
23         medical records on or about April 14, 2023, *see* Dkt. # 7 at 7, not April 13, 2023 as is stated in the  
Report and Recommendation, *see* Dkt. # 8 at 5. As the Report and Recommendation notes, Passover  
ended on April 13, 2023. *See, e.g.*, Marina Pitofsky, Charita M. Goshay, C. A. Bridges, *What Is  
Passover?* PALM BEACH POST (Apr. 5, 2023, 11:50 AM), <http://www.palmbeachpost.com/story/lifestyle/2023/04/05/what-is-passover-when-is-passover/70084323007/>.

(2) Defendants Jeffery Adams, ARNP Boudrieau,<sup>2</sup> Ronald Attard, and Jason Bennet are dismissed with prejudice. The case proceeds solely against defendant Rency Hilbert, on the claim that plaintiff's First Amendment rights were violated on April 5, 2023.

(3) The Clerk shall provide a copy of this Order to plaintiff.

Dated this 3rd day of August, 2023.

Mrs Lasnik  
Robert S. Lasnik  
United States District Judge

<sup>2</sup> The Court notes that plaintiff has not explicitly named ARNP Boudrieau as a defendant, *see Dkt. # 7 at 5* (naming Rency Hilbert, Ronald Attard, Jeffery Adams and Jason Bennett as defendants) but has included allegations against ARNP Boudrieau in the body of the Amended Complaint, *see Dkt. # 7 at 7* (alleging that ARNP Boudrieau “could not find where a therapeutic diet was requested” when reviewing plaintiff’s medical records). Thus, to the extent plaintiff seeks to name ARNP Boudrieau as a defendant, the Court agrees with the Report and Recommendation that any such claims must be dismissed for failure to state a claim upon which relief can be granted.